

FORM PTO-1390 (Modified)
(REV. 11-2000)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

112701-432

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR

10/505285

INTERNATIONAL APPLICATION NO.

PCT/EP03/01687

INTERNATIONAL FILING DATE

18 February 2003

PRIORITY DATE CLAIMED

21 February 2002

TITLE OF INVENTION

PET FOOD COMPOSITION FOR SKIN PHOTOPROTECTION

APPLICANT(S) FOR DO/EO/US

Breton et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☒ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
 - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☒ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☒ A copy of the International Search Report (PCT/ISA/210).

Items 13 to 20 below concern document(s) or information included:

13. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☒ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A change of power of attorney and/or address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
20. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
22. ☒ Express Mail Label No. EV 352 433 985 US
23. ☒ Other items or information:

Certified Copy of EP 02075702.7**Return Receipt Postcard**

U.S. APPLICATION NO. (P. 107505285) 107505285	INTERNATIONAL APPLICATION NO. PCT/EP03/01687	ATTORNEY'S DOCKET NUMBER 112701-432
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24. The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) : <input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1080.00 <input checked="" type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$920.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$770.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$730.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00 ENTER APPROPRIATE BASIC FEE AMOUNT =				CALCULATIONS PTO USE ONLY <div style="border: 1px solid black; height: 100px; width: 100%;"></div>																																	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).				\$920.00																																	
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 15%;">CLAIMS</th> <th style="width: 25%;">NUMBER FILED</th> <th style="width: 25%;">NUMBER EXTRA</th> <th style="width: 35%;">RATE</th> </tr> </thead> <tbody> <tr> <td>Total claims</td> <td>29 - 20 =</td> <td>9</td> <td>x \$18.00</td> </tr> <tr> <td>Independent claims</td> <td>6 - 3 =</td> <td>3</td> <td>x \$86.00</td> </tr> <tr> <td colspan="3">Multiple Dependent Claims (check if applicable) <input type="checkbox"/></td> <td></td> </tr> <tr> <td colspan="3">TOTAL OF ABOVE CALCULATIONS =</td> <td>\$162.00</td> </tr> <tr> <td colspan="3"><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.</td> <td>\$258.00</td> </tr> <tr> <td colspan="3"></td> <td>\$0.00</td> </tr> <tr> <td colspan="3">SUBTOTAL =</td> <td>\$1,340.00</td> </tr> </tbody> </table>				CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	Total claims	29 - 20 =	9	x \$18.00	Independent claims	6 - 3 =	3	x \$86.00	Multiple Dependent Claims (check if applicable) <input type="checkbox"/>				TOTAL OF ABOVE CALCULATIONS =			\$162.00	<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.			\$258.00				\$0.00	SUBTOTAL =			\$1,340.00	\$0.00	
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TOTAL NATIONAL FEE =				\$1,340.00																																	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable). <input type="checkbox"/>				\$0.00																																	
TOTAL FEES ENCLOSED =				\$1,340.00																																	
				Amount to be:																																	
				refunded \$																																	
				charged \$																																	

- a. ☒ A check in the amount of \$1,340.00 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees.
- c. ☒ The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 02-1818
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Robert M. Barrett (30,142)
 ATTORNEYS FOR APPLICANTS
 Bell, Boyd & Lloyd LLC
 P.O. Box 1135
 Chicago, Illinois 60690-1135

SIGNATURE

Robert M. Barrett

NAME

30,142

REGISTRATION NUMBER

August 19, 2004

DATE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Breton et al.
Appl. No.: PCT/EP03/01687
Filed: 18 February 2003
Title: PET FOOD COMPOSITION FOR SKIN PHOTOPROTECTION
Art Unit: Unknown
Examiner: Unknown
Docket No.: 112701-432

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING BY EXPRESS MAIL UNDER 37 CFR 1.10

Sir:

I hereby certify that the following documents relating to the above-identified application:

1. Transmittal Letter (2 pages) (duplicate);
2. Copy of International Application As Filed (18 pages);
3. Copy of International Preliminary Examination Report (2 pages);
4. Copy of International Search Report (6 pages);
5. Unexecuted Declaration and Power of Attorney (3 pages);
6. Certified Copy of Priority Document (EP 02075702.7);
7. Preliminary Amendment (25 pages);
8. Information Disclosure Statement (2 pages); PTO-1449 (1 page); Cited References (6 Documents);
9. Check in the Amount of \$1,340.00; and
10. Return Receipt Postcard.

are being deposited with the United States Postal Service with sufficient postage as Express Mail in an envelope addressed to:

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450


on August 19, 2004

Respectfully submitted,

BELL, BOYD & LLOYD LLC

Renee Street

Name of Person Mailing Correspondence


Signature

EV 352 433 985 US

Express Mail Mailing Label Number